

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K.

Notification

Jammu, the 2nd December, 2022.

SO-648.ô Whereas, on 15-09-2020, an information was received by the Police Station, Khrew, to the effect that a person identified as Rayees-ul-Hassan Shah S/o Gh. Hassan Shah R/o Gandikhal, Chersoo, alongwith his associate working for the terrorists of Al-Badr banned outfit, had collected funds from unknown terrorist of the outfit for further distribution among the other terrorists in order to promote terrorist activities in the area ; and

2. Whereas, based on the above, a Case FIR No. 55/2020 under Sections 17, 18, 20, 21, 39 and 40 of ULA(P) Act, was registered in Police Station Khrew and the investigation of the case was set into motion ; and

3. Whereas, during the investigation, the accused viz. Rayees-ul-Hassan Shah alongwith his associate namely Mushtaq Ahmad Mir S/o Gh. Ahmad Mir R/o Dadsera, Tral, were arrested in the case during the Naka Checking at Ladhoo and the Police recovered an amount of Rs. 6 Lakhs and 06 posters of Al-Badr banned outfit from a bag carried by the accused viz. Rayees-ul-Hassan Shah ; and

4. Whereas, during the course of investigation, the site plan of the place of occurrence and seizure memos were prepared and the statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law.

5. Whereas, during the investigation, the accused viz. Rayees-ul-Hassan Shah and Mushtaq Ahmad Mir, were found in contact with a terrorist of Al-Badr banned outfit namely, Irfan-ul-Haq Dar S/o Mohammad Amin Dar R/o Gadikhal, Chersoo, who provided an amount of Rs. 6 Lakhs and some posters of the outfit to the accused viz. Rayees-ul-Hassan Shah, for further distribution among the other terrorists in order to promote terrorist activities in the area ; and

6. Whereas, during the invesitgation, it was established that the accused viz. Rayees-ul-Hassan Shah and Mushtaq Ahmad Mir, were working as Over Ground Workers (OGWs) for the terrorists of Al-Badr banned outfit, particularly the terrorist viz. Irfan-ul-Haq Dar, and were providing logistic support to them, besides under a well knit criminal conspiracy were raising funds for the terrorists and knowingly holding the proceeds of terrorism to carry out the terrorist activities in the area ; and

7. Whereas, the accused terrorist namely Irfan-ul-Haq Dar, has been killed in an encounter with the security forces and the proceedings under the law would abate against him ; and

8. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established prima facie, involvement of below mentioned accused in the commission of the offences punishable under Section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

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1		Rayees-ul-Hassan Shah S/o Gh. Hassan													17, 18, 21, 39, 40 of												
		Shah R/o Gadikhal, Chersoo.															ULA (P) Act.										

9. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused ; and

10. Whereas, after perusing the Case Diary File the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Rayees-ul-Hassan Shah and Mushtaq Ahmad Mir, for the commission of offences punishable under Sections 17, 18, 21, 39 and 40 of ULA (P) Act, arising out of FIR No. 55/2020 of Police Station, Khrew.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner/ Additional Chief Secretary.